

1                   **PROPOSAL TO AMEND UTAH CONSTITUTION - JUDGES**  
2   **OF COURTS NOT OF RECORD**

3   2016 GENERAL SESSION  
4   STATE OF UTAH

5   **Chief Sponsor: Craig Hall**

6   Senate Sponsor: \_\_\_\_\_



8 **LONG TITLE**

9 **General Description:**

10                   This joint resolution of the Legislature proposes to amend the Utah Constitution to  
11 modify a provision relating to judges of courts not of record.

12 **Highlighted Provisions:**

13                   This resolution proposes to amend the Utah Constitution to:

- 14                   ▶ eliminate a restriction against requiring judges of courts not of record to be admitted
- 15 to practice law; and
- 16                   ▶ provide for qualifications of judges of courts not of record.

17 **Special Clauses:**

18                   This resolution directs the lieutenant governor to submit this proposal to voters.

19                   This resolution provides a contingent effective date of January 1, 2017, for this  
20 proposal.

21 **Utah Constitution Sections Affected:**

22 AMENDS:

23                   **ARTICLE VIII, SECTION 11**



25 *Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*  
26 *of the two houses voting in favor thereof:*

27                   Section 1. It is proposed to amend Utah Constitution, Article VIII, Section 11, to read:



28 **Article VIII, Section 11. [Judges of courts not of record.]**

29 Judges of courts not of record shall be selected in a manner~~[;]~~ and for a term~~[;]~~ and with  
30 qualifications] provided by statute. ~~[However, no qualification may be imposed which requires~~  
31 ~~judges of courts not of record to be admitted to practice law.]~~ Judges of courts not of record  
32 shall be at least 25 years old, United States citizens, Utah residents for three years preceding  
33 selection, and admitted to practice law in Utah, and shall have any other qualifications  
34 provided by statute. The number of judges of courts not of record shall be provided by statute.

35 **Section 2. Submittal to voters.**

36 The lieutenant governor is directed to submit this proposed amendment to the voters of  
37 the state at the next regular general election in the manner provided by law.

38 **Section 3. Contingent effective date.**

39 If the amendment proposed by this joint resolution is approved by a majority of those  
40 voting on it at the next regular general election, the amendment shall take effect on January 1,  
41 2017.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**